

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:) HPA Docket No. 13-0050
Jeffrey Scott "Scotty" Widner)
and Freida Rene Widner,)
Respondents) Complaint

There is reason to believe that the respondents named herein have violated the Horse Protection Act, as amended (15 U.S.C. § 1821 et seq.), herein referred to as the Act. Therefore, the Administrator of the Animal and Plant Health Inspection Service ("APHIS") issues this complaint alleging the following:

I

A. Respondents Jeffrey Scott "Scotty" Widner and Freida Rene Widner are individuals whose mailing address is 2039 Boyds Creek Highway, Sevierville, Tennessee 37876.

B. At all times material hereto, respondent Jeffrey Scott "Scotty" Widner was the trainer of the horse known as "Kody On The Mountain" and entered this horse as Entry No. 897, Class No. 51, on June 18, 2011, at the 42nd Annual Tennessee Walking Horse Smokey Mountain Classic in White Pine, Tennessee.

C. At all times material hereto, respondents Jeffrey Scott "Scotty" Widner and Freida Rene Widner were the de facto owners of the horse known as "Kody On The Mountain" which was entered as Entry No. 897, Class No. 51, on June 18, 2011, at the 42nd Annual Tennessee Walking Horse Smokey Mountain Classic in White Pine, Tennessee.

II

On June 18, 2011, respondents Jeffrey Scott "Scotty" Widner and Freida Rene Widner, in violation of section 5(2)(B) of the Act (15 U.S.C. § 1824(2)(B)), entered for the purpose of showing or exhibiting the horse known as "Kody On The Mountain" as Entry No. 897, in Class No. 51, at the 42nd Annual Tennessee Walking Horse Smokey Mountain Classic in White Pine, Tennessee, while the horse was sore.

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondents have in fact violated the Act, this complaint shall be served upon the respondents. The respondents shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 et seq.). Failure to file an answer shall constitute an admission of all the material allegations of this complaint.

The Animal and Plant Health Inspection Service requests:

1. That unless the respondents fail to file an answer within the time allowed therefor, or file an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in conformity with the Rules of Practice governing proceedings under the Act; and

2. That such order or orders be issued as are authorized by the Act and warranted under the circumstances including an order:

(a) Assessing civil penalties against the respondents in accordance with section 6(b) of the Act (15 U.S.C. § 1825(b)); and

(b) Disqualifying each respondent for a specified period as provided in section 6(c) of the Act (15 U.S.C. § 1825(c)) from (1) showing, exhibiting or entering any horse, or otherwise participating in any horse show or exhibition, and (2) judging or managing any horse show, horse exhibition, horse sale or auction.

Done at Washington, D.C.
this 12th day of October, 2012

Adley

Administrator
Animal and Plant Health
Inspection Service

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